



TWENTY-FIRST JUDICIAL CIRCUIT

MUNICIPAL DIVISIONS

TWO YEARS ENDED JUNE 30, 1999

**From The Office Of State Auditor
Claire McCaskill**

Report No. 2000-31
May 4, 2000
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AUDIT REPORT



Office Of The
State Auditor Of Missouri
Claire McCaskill

May 2000

The following audit report presents our findings and recommendations for certain municipal divisions of the Twenty-First Judicial Circuit. During our audit, we identified accounting records, controls, and certain management practices which we believe could be improved. The municipal divisions in which specific findings and recommendations were noted are listed below:

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YELLOW SHEET

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS

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TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS

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FINANCIAL SECTION

State Auditor's Reports



CLAIRE C. McCASKILL
Missouri State Auditor

**INDEPENDENT AUDITOR'S REPORT ON
THE FINANCIAL STATEMENTS**

Presiding Judge
and
Municipal Judges
Twenty-First Judicial Circuit

We have audited the accompanying special-purpose financial statements of the various municipal divisions (other than the city of University City Municipal Division as of and for the years ended June 30, 1999 and 1998) of the Twenty-First Judicial Circuit as of and for the years ended June 30, 1999 and 1998, as identified by municipality in the table of contents. These special-purpose financial statements are the responsibility of the municipal divisions' management. Our responsibility is to express an opinion on these special-purpose financial statements based on our audit.

Except as discussed in paragraph four, we conducted our audit in accordance with generally accepted auditing standards and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the special-purpose financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the special-purpose financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

The accompanying special-purpose financial statements were prepared for the purpose of presenting the receipts, disbursements, and changes in cash of the municipal divisions of the Twenty-First Judicial Circuit and are not intended to be a complete presentation of the financial position and results of operations of the municipal divisions.

Prenumbered bond forms or receipt slips were not issued for bond monies collected by the police department for the city of Eureka Municipal Division. In addition, bonds were sometimes refunded in cash by the municipal division. As a result, we were unable to satisfy ourselves by appropriate audit tests or other means as to bond receipts and disbursements beyond amounts recorded in the municipal division's records for the years ended June 30, 1999 and 1998.

In our opinion, except for the effects, if any, on the financial statements of the matter discussed in the preceding paragraph, the special-purpose financial statements referred to in the first paragraph present fairly, in all material respects, the receipts, disbursements, and changes in cash of the municipal divisions (other than the city of University City Municipal Division as of and for the years ended June 30, 1999 and 1998) of the Twenty-First Judicial Circuit as of and for the years ended June 30, 1999 and 1998, in conformity with the comprehensive basis of accounting discussed in Note 1, which is a basis of accounting other than generally accepted accounting principles.

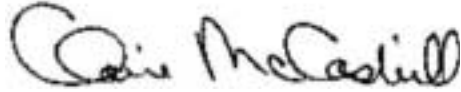
We also had planned to audit the accompanying special-purpose financial statement of the city of University City Municipal Division as of and for the years ended June 30, 1999 and 1998. This special-purpose financial statement is the responsibility of the municipal division's management.

Internal controls and accounting records of the city of University City Municipal Division were inadequate. Amounts shown as received on the court's cash register did not always match the amounts transmitted to the city for deposit. Adjustments were made to cash register entries without proper support. Also, records accounting for the numerical sequence and ultimate disposition of each traffic ticket issued by the police department were not maintained. As a result, we were unable to satisfy ourselves by appropriate audit tests or other means as to receipts and disbursements of fines, court costs, and bonds for the years ended June 30, 1999 and 1998. In addition, we were unable to assure ourselves of the amount of cash bonds held in trust at June 30, 1999 and 1998.

Because of the effects of the matters discussed in the preceding paragraph, the scope of our work was not sufficient to enable us to express, and we do not express, an opinion on the special-purpose financial statement of the city of University City Municipal Division as of and for the years ended June 30, 1999 and 1998.

In accordance with *Government Auditing Standards*, we also have issued our report dated November 24, 1999, on our consideration of the municipal divisions' internal controls over financial reporting and on our tests of their compliance with certain provisions of laws, regulations, contracts, and grants.

The accompanying History, Organization, and Statistical Information is presented for informational purposes. This information was obtained from the municipal divisions' management and was not subjected to the auditing procedures applied in the audit of the special-purpose financial statements referred to above.

A handwritten signature in dark ink, appearing to read "Claire McCaskill". The signature is fluid and cursive, with the first name "Claire" written in a larger, more prominent script than the last name "McCaskill".

Claire McCaskill
State Auditor

November 24, 1999 (fieldwork completion date)

The following auditors participated in the preparation of this report:

Director of Audits:	Kenneth W. Kuster, CPA
Audit Manager:	Alice M. Fast, CPA, CIA
In-Charge Auditor:	Darrick A. Fulton
Audit Staff:	Douglas E. Brewer
	Scott L. Fontana
	Monique Williams



CLAIRE C. McCASKILL
Missouri State Auditor

**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE
AND ON INTERNAL CONTROL OVER FINANCIAL REPORTING**

Presiding Judge
and
Municipal Judges
Twenty-First Judicial Circuit

We have audited the special-purpose financial statements of the various municipal divisions (other than the city of University City Municipal Division as of and for the years ended June 30, 1999 and 1998) of the Twenty-First Judicial Circuit as of and for the years ended June 30, 1999 and 1998, and have issued our report thereon dated November 24, 1999. That report expressed a qualified opinion on the special-purpose financial statements of the city of Eureka Municipal Division for the years ended June 30, 1999 and 1998. Except as discussed in the report on the financial statement of the municipal division referred to in the preceding sentence, we conducted our audit in accordance with generally accepted auditing standards and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

We also had planned to audit the special-purpose financial statement of the city of University City Municipal Division as of and for the years ended June 30, 1999 and 1998, and have issued our report thereon dated November 24, 1999. In that report we did not express an opinion on the special-purpose financial statement.

Compliance

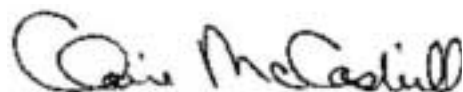
As part of obtaining reasonable assurance about whether the special-purpose financial statements of the various municipal divisions of the Twenty-First Judicial Circuit are free of material misstatement, we performed tests of the municipal divisions' compliance with certain provisions of laws, regulations, contracts, and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no material instances of noncompliance that are required to be reported under *Government Auditing Standards*. However, we noted certain other instances of noncompliance which are presented in the accompanying Management Advisory Report.

Internal Control Over Financial Reporting

In planning and performing our audit of the special-purpose financial statements of the various municipal divisions of the Twenty-First Judicial Circuit, we considered the municipal divisions' internal controls over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the special-purpose financial statements and not to provide assurance on the internal controls over financial reporting. However, we noted certain matters involving the internal controls over financial reporting and their operation that we consider to be reportable conditions. Reportable conditions involve matters coming to our attention relating to significant deficiencies in the design or operation of the internal controls over financial reporting that, in our judgment, could adversely affect the municipal divisions' ability to record, process, summarize, and report financial data consistent with the assertions of management in the special-purpose financial statements.

A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material to the special-purpose financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. Our consideration of the internal controls over financial reporting would not necessarily disclose all matters in the internal controls that might be reportable conditions and, accordingly, would not necessarily disclose all reportable conditions that are also considered to be material weaknesses. However, we noted certain matters involving the internal controls over financial reporting and their operation that we consider to be material weaknesses, and these matters are presented in the accompanying Management Advisory Report.

This report is intended for the information of the management of the various municipal divisions of the Twenty-First Judicial Circuit and other applicable government officials. However, this report is a matter of public record and its distribution is not limited.



Claire McCaskill
State Auditor

November 24, 1999 (fieldwork completion date)

Financial Statements

Exhibit

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS
COMPARATIVE STATEMENT OF RECEIPTS, DISBURSEMENTS, AND
CHANGES IN CASH

		City of Clarkson Valley	
		Year Ended June 30,	
		1999	1998
RECEIPTS			
Fines, costs, bonds, and other	\$	139,714	138,443
Total Receipts		139,714	138,443
DISBURSEMENTS			
City treasury		134,069	132,941
State of Missouri (Note 3)		0	0
Refunds and other		5,711	2,732
Total Disbursements		139,780	135,673
RECEIPTS OVER (UNDER) DISBURSEMENTS		-66	2,770
CASH, JULY 1		6,876	4,015
CASH, JUNE 30	\$	6,810	6,785

The accompanying Notes to the Financial Statements are an integral part of this statement.

Exhibit

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS
COMPARATIVE STATEMENT OF RECEIPTS, DISBURSEMENTS, AND
CHANGES IN CASH

	City of Creve Coeur Year Ended June 30,	
	1999	1998
RECEIPTS		
Fines, costs, bonds, and other	\$ 574,549	492,258
Total Receipts	574,549	492,258
DISBURSEMENTS		
City treasury	529,311	451,517
State of Missouri (Note 3)	0	0
Refunds and other	36,754	31,717
Total Disbursements	566,065	483,234
RECEIPTS OVER (UNDER) DISBURSEMENTS	8,484	9,024
CASH, JULY 1	48,920	39,896
CASH, JUNE 30	\$ 57,404	48,920

The accompanying Notes to the Financial Statements are an integral part of this statement.

Exhibit

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS
COMPARATIVE STATEMENT OF RECEIPTS, DISBURSEMENTS, AND
CHANGES IN CASH

		City of Eureka (Note 4)	
		Year Ended June 30,	
		1999	1998
RECEIPTS			
Fines, costs, bonds, and other	\$	309,058	283,796
Total Receipts		309,058	283,796
DISBURSEMENTS			
City treasury		234,388	229,301
State of Missouri (Note 3)		0	0
Refunds and other		63,265	53,438
Total Disbursements		297,653	282,739
RECEIPTS OVER (UNDER) DISBURSEMENTS		11,405	1,057
CASH, JULY 1		26,791	25,734
CASH, JUNE 30	\$	38,196	26,791

The accompanying Notes to the Financial Statements are an integral part of this statement.

Exhibit

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS
COMPARATIVE STATEMENT OF RECEIPTS, DISBURSEMENTS, AND
CHANGES IN CASH

	City of Frontenac (Note 5)	
	Year Ended June 30,	
	1999	1998
RECEIPTS		
Fines, costs, bonds, and other	\$ 128,863	130,211
Total Receipts	128,863	130,211
DISBURSEMENTS		
City treasury	119,085	124,188
State of Missouri (Note 3)	0	0
Refunds and other	9,037	8,268
Total Disbursements	128,122	132,456
RECEIPTS OVER (UNDER) DISBURSEMENTS	741	-2,245
CASH, JULY 1	5,918	8,163
CASH, JUNE 30	\$ 6,659	5,918

The accompanying Notes to the Financial Statements are an integral part of this statement.

Exhibit

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS
COMPARATIVE STATEMENT OF RECEIPTS, DISBURSEMENTS, AND
CHANGES IN CASH

		City of Richmond Heights	
		Year Ended June 30,	
		1999	1998
RECEIPTS			
Fines, costs, bonds, and other	\$	424,664	381,087
Total Receipts		424,664	381,087
DISBURSEMENTS			
City treasury		363,978	334,127
State of Missouri (Note 3)		0	0
Refunds and other		50,763	31,383
Total Disbursements		414,741	365,510
RECEIPTS OVER (UNDER) DISBURSEMENTS		9,923	15,577
CASH, JULY 1		32,862	17,285
CASH, JUNE 30	\$	42,785	32,862

The accompanying Notes to the Financial Statements are an integral part of this statement.

Exhibit

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS
COMPARATIVE STATEMENT OF RECEIPTS, DISBURSEMENTS, AND
CHANGES IN CASH

(UNAUDITED)

	City of University City (Note 6)	
	Year Ended June 30,	
	1999	1998
RECEIPTS		
Fines, costs, bonds, and other	\$ 644,658	529,026
Total Receipts	644,658	529,026
DISBURSEMENTS		
City treasury	610,648	500,659
State of Missouri (Note 3)	0	0
Refunds and other	34,010	28,367
Total Disbursements	644,658	529,026
RECEIPTS OVER (UNDER) DISBURSEMENTS	0	0
CASH, JULY 1	0	0
CASH, JUNE 30	\$ 0	0

The accompanying Notes to the Financial Statements are an integral part of this statement.

Exhibit

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS
COMPARATIVE STATEMENT OF RECEIPTS, DISBURSEMENTS, AND
CHANGES IN CASH

		City of Winchester	
		Year Ended June 30,	
		1999	1998
RECEIPTS			
Fines, costs, bonds, and other	\$	42,506	27,220
Total Receipts		42,506	27,220
DISBURSEMENTS			
City treasury		37,624	22,512
State of Missouri (Note 3)		0	0
Refunds and other		6,207	4,974
Total Disbursements		43,831	27,486
RECEIPTS OVER (UNDER) DISBURSEMENTS		-1,325	-266
CASH, JULY 1		2,850	3,116
CASH, JUNE 30	\$	1,525	2,850

The accompanying Notes to the Financial Statements are an integral part of this statement.

Notes to the Financial Statements

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS
NOTES TO THE FINANCIAL STATEMENTS

1. Summary of Significant Accounting Policies

A. Reporting Entity and Basis of Presentation

The accompanying special-purpose financial statements present only selected data for the funds administered by seven municipal divisions of the Twenty-First Judicial Circuit of the state of Missouri. The remaining municipal divisions of the Twenty-First Judicial Circuit are reported on separately.

Receipts, disbursements, and changes in cash are presented for each municipal division. The operating costs of each division are paid by the respective municipality and are not included in these financial statements.

The municipal division is responsible for cash bonds posted until case disposition allows appropriate disbursement. Bond monies relating to pending cases, whether in the custody of the city or the municipal division, are included in these financial statements.

B. Basis of Accounting

The Statements of Receipts, Disbursements, and Changes in Cash are prepared on the cash basis of accounting; accordingly, amounts are recognized when they are received or disbursed. This basis of accounting differs from generally accepted accounting principles, which require revenues to be recognized when they become available and measurable or when they are earned and expenditures or expenses to be recognized when the related liabilities are incurred.

C. Fiscal Authority and Responsibility

The municipal divisions account for fines and court costs resulting from prosecution of violations of municipal ordinances before the municipal judge or received through the traffic violations bureau, as well as cash bonds posted. Municipal violations could include traffic offenses, both moving and nonmoving; parking meter and overtime parking offenses; and other violations for which amounts are received by the municipal divisions and remitted to the city treasury. The municipal divisions also may account for restitutions received and disbursed through the divisions.

2. Cash

Section 479.080, RSMo 1994, requires municipal divisions to deposit fines and court costs into the city treasury at least monthly. Some divisions maintain bank accounts into which fines and court costs are deposited and later remitted to the city treasury. Other divisions do not maintain bank accounts, transmitting fines and court costs directly to the city treasury. Escrow bank accounts for bond monies received may be maintained by the city or the municipal division.

At June 30, 1999 and 1998, all bank account balances reported for the municipal divisions of the Twenty-First Judicial Circuit were entirely covered by federal depositary insurance.

3. Disbursements to State

The municipal divisions collect various amounts that must be remitted to the state of Missouri. These amounts include the judgment for the Motorcycle Safety Trust Fund; and the surcharges for the Crime Victims' Compensation and Services to Victims Funds, and the Peace Officer Standards and Training Commission Fund. The state's portions of these amounts are deposited into the city treasury for all municipal divisions. Amounts remitted by the cities to the state are not included in the financial statements.

4. City of Eureka

Bonds posted by defendants for the city of Eureka Municipal Division are deposited directly into the city treasury. A check is immediately written to the defendant for the amount of the bond and held until the disposition of the case. The amount of checks being held by the city at year end could not be readily determined. The financial statements present the bank balance as of June 30, 1999 and 1998.

In addition, these checks are sometimes endorsed by the defendant back to the city to be used to pay fines and costs assessed. Amounts in excess of the fines and costs assessed are then refunded to the defendant in cash. The amounts refunded to defendants in cash could not be readily determined. The refund amount reflected in the financial statements would include the entire amount of the original check, less the amount the Court Clerk indicated was applied for fines and costs.

5. City of Frontenac

The city of Crystal Lakes Park contracts with the city of Frontenac Municipal Division to collect all monies for its court. The receipts and disbursements of the city of Crystal Lakes Park Municipal Division are included in the city of Frontenac Municipal Division's financial statements.

6. City of University City

Bonds posted by defendants for the city of University City Municipal Division are transmitted directly to the city Finance Department for deposit to the city treasury. The amounts held by the city at year-end could not be determined and, therefore, are not included in the financial statements.

MANAGEMENT ADVISORY REPORT SECTION

Management Advisory Report -
State Auditor's Current Recommendations

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS
MANAGEMENT ADVISORY REPORT -
STATE AUDITOR'S CURRENT RECOMMENDATIONS

We have audited the special-purpose financial statements of the various municipal divisions (other than the city of University City Municipal Division as of and for the years ended June 30, 1999 and 1998) of the Twenty-First Judicial Circuit as of and for the years ended June 30, 1999 and 1998, and have issued our report thereon dated November 24, 1999. That report expressed a qualified opinion on the special-purpose financial statements of the city of Eureka Municipal Division for the years ended June 30, 1999 and 1998.

We also had planned to audit the special-purpose financial statement of the city of University City Municipal Division as of and for the years ended June 30, 1999 and 1998, and have issued our report thereon dated November 24, 1999. In that report we did not express an opinion on the special-purpose financial statement.

The following Management Advisory Report presents our findings and recommendations arising from our procedures related to the municipal divisions' special-purpose financial statements. During those procedures, we also identified certain management practices which we believe could be improved. Our procedures were not designed or intended to be a detailed study of every system, procedure, and transaction. Accordingly, the findings presented in the following report should not be considered as all-inclusive of areas where improvements may be needed.

1.	City of Clarkson Valley Municipal Division
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Receipt slips are not obtained for court monies transmitted to the city. To provide assurance all monies have been transmitted and allow reconciliation of municipal division transmittals to city records, a receipt slip should be obtained from the city for each transmittal of court monies.

WE RECOMMEND the city of Clarkson Valley Municipal Division obtain receipt slips for all monies transmitted to the city.

AUDITEE'S RESPONSE

The Court Clerk responded that the City Clerk will begin immediately to acknowledge at the bottom of the daily balance form her receipt of the cash and checks represented.

- A. Prenumbered receipt slips are not issued by the Court Clerk for some monies received. While monies received through the mail are recorded in the Court's receipt ledger, receipt slips are not issued for these payments. To adequately account for all receipts and ensure all receipts are properly deposited in the city treasury, a prenumbered receipt slip should be issued for all monies received and the numerical sequence of receipt slips should be accounted for properly.
- B. Bond monies are not retrieved from the police department and deposited on a timely basis. Twice a week the Court Clerk retrieves bond money from the police department and transmits the money directly to the city treasury. For those tested, the average transmitted amount was approximately \$600. To adequately safeguard bond receipts and reduce the risk of loss or misuse of funds, transmittals should be made daily or when accumulated receipts exceed \$100.

This condition was also noted in our two prior reports.

WE RECOMMEND the city of Creve Coeur Municipal Division:

- A. Issue prenumbered receipt slips for all monies received.
- B. Transmit bond monies daily or when accumulated receipts exceed \$100.

AUDITEE'S RESPONSE

The Court Clerk provided the following responses:

- A. *This procedure has already been implemented based on comments made by the auditors at the exit interview. Prenumbered one-write receipt slips are written for every payment received (both through the mail and those made in person). For those cases paid through the mail, only the defendant's that pay by money order or cashier's checks are mailed receipt slips (as done in the past). For all other payments received through the mail, the receipt slips are attached to the case file since the defendant can refer to their canceled check for proof of payment and postage is not a budgeted item for this purpose.*
- B. *Arrangements have been made with the police department to implement this recommendation immediately.*

A. During our review, we noted the following concerns relating to bonds:

- 1) Bond forms issued by the police department serve as the receipt slip to the defendant. However, these bond forms are not prenumbered. To properly account for all bond receipts, prenumbered receipt slips or bond forms should be issued for all bonds and their numerical sequence accounted for properly.
- 2) The police department accepts cash, checks, and money orders for bonds. Bond forms issued by the police department do not indicate the method of payments received. To ensure all bond monies are deposited intact, the method of payment for all bond monies received should be indicated on the bond forms. The composition of bond forms issued should be reconciled to the composition of transmittals and deposits.
- 3) The Court Clerk does not issue receipt slips to the police department for bonds turned over to the court. To adequately account for all receipts, prenumbered receipt slips should be issued for all monies received and the numerical sequence should be accounted for properly.
- 4) Refund checks for the full amount of the bond are prepared at the time a bond is received and are held by the Court Clerk pending court disposition. During court, the Court Clerk refunds the full amount of the bond to the defendant. If the bond refund check is to be applied to the fines and court costs, the defendant endorses the check over to the court and receives any refund in cash. This procedure of cashing bond refund checks does not allow fines and court costs to be transmitted intact.

To ensure fines and court costs are transmitted intact, the court should discontinue the practice of cashing bond refund checks. To accomplish this, the court should issue the refund checks only for the amount of the difference between the fines and court costs due and the total bond posted. The amounts applied toward the fines and court costs should be separately transferred from the bond account to the city treasury.

- 5) The court does not maintain a bond ledger on a current basis. The court has not consistently recorded the disposition of bonds received, and does not prepare a monthly listing of open items (liabilities).

To ensure proper accountability over open cases and ensure monies held in trust by the court are sufficient to meet liabilities, the disposition of all bonds should be

recorded in the bond ledger, and monthly listings of open items (liabilities) should be prepared by the court and reconciled to the bond ledger.

- 6) Outstanding checks have remained in the city's bond account in excess of one year, with one check being outstanding since July 1991. Outstanding checks should be periodically reviewed to determine if the payees can be readily located and if there is a need to reissue the checks. If payees cannot be located, Sections 447.550 through 447.585, RSMo 1994, which relate to unclaimed property, should be used to disburse these monies.
- 7) The municipal division has not implemented adequate procedures to follow up on bonds held for more than one year. As of June 30, 1999, the balance of the city's bond account included bond receipts totaling \$9,047 which have been held for at least one year.

An attempt should be made to determine the proper disposition of these bonds. A review should be made of any bonds posted by persons who failed to make the required court appearance to determine if the bonds should be forfeited and monies paid over to the city treasury as provided by Section 479.210, RSMo 1994. For those bonds which are held on closed cases and remain unclaimed, Section 447.550 through 447.585, RSMo 1994, which relate to unclaimed property, should be used to disburse these monies.

Conditions similar to 1) thru 6) were also noted in our two prior reports.

B. During our review, we noted the following concerns relating to receipts:

- 1) Monies collected are not transmitted to the city on a timely basis. Transmittals are generally made once a week and average approximately \$2,000. To adequately safeguard receipts and to reduce the risk of loss or misuse of funds, transmittals should be made daily or when accumulated receipts exceed \$100.
- 2) The municipal division accepts cash, checks, and money orders for fines and court costs. Receipt slips issued by the court do not always indicate the method of payment received. To ensure receipts are transmitted intact, the method of payment received should be indicated on the receipt slips. The composition of receipt slips issued should be reconciled to the composition of transmittals.
- 3) Checks and money orders are not restrictively endorsed upon receipt. To reduce the risk of loss or misuse of funds, checks and money orders should be restrictively endorsed immediately upon receipt.

Similar conditions were also noted in our two prior reports.

- C. The municipal division accepts cash, checks, and money orders for payment of restitution. Monies collected for restitution are disbursed to the appropriate party in the form received from the defendant. No documentation is maintained of these disbursements. In addition, we noted instances where receipt slips were not issued for all restitution receipts. We also noted instances where voided restitution receipt slips were not properly retained.

To adequately account for all restitution payments and to ensure all receipts are properly disbursed to the appropriate parties, all payments received should be deposited and disbursements made by check. Also, receipt slips should be issued for all monies received and voided receipt slips should be retained.

This condition was also noted in our prior report.

- D. In our report issued in 1997, we had a total of 13 recommendations to improve the controls and record keeping of the city of Eureka Municipal Division. During our current audit, we determined that only 2 of the 13 recommendations were fully implemented. The Municipal Judge and the Court Clerk need to ensure all of the recommendations made in this report are implemented.

WE RECOMMEND the city of Eureka Municipal Division:

- A.1. Request the police department issue prenumbered receipt slips or bond forms for all bond monies received and account for the numerical sequence.
2. Request the police department to indicate the method of payment on each bond form issued. The Court Clerk should reconcile the composition of bond forms issued to the composition of monies transmitted and deposited.
3. Issue prenumbered receipt slips to the police department for bonds transmitted to the court.
4. Issue separate checks to defendants for the amounts of the bond refunds and to the city for the amount of fines and court costs after case disposition is determined. In addition, the practice of cashing bond refund checks out of other court collections should be discontinued.
5. Maintain a bond ledger on a current basis and reconcile this ledger to a monthly listing of open items (liabilities).
6. Periodically review outstanding checks to determine if the payees can be located and if the checks can be reissued. If payees cannot be located, the monies should be disbursed to the state's Unclaimed Property Section in accordance with state law.

7. Implement adequate procedures to follow up on bonds being held and dispose of them in accordance with state law.
- B.1. Transmit receipts intact daily or when accumulated receipts exceed \$100.
2. Record the method of payment on all receipt slips issued and ensure someone at the city reconciles the composition of receipt slips issued to the composition of monies transmitted.
3. Restrictively endorse all checks and money orders immediately upon receipt.
- C. Deposit all monies received by the court and make all disbursements by check. In addition, receipt slips should be issued for all monies received and voided receipt slips should be retained.
- D. Ensure the recommendations made in this report are implemented.

AUDITEE'S RESPONSE

The Court Clerk provided the following responses:

- A.1. *We will do this when we reorder bond forms. This will be done within three months.*
2. *We will add this when we reorder bond forms. This will be done within three months.*
3. *We will begin issuing prenumbered receipt slips to the police department. This will be done within three months.*
4. *We do not think we can implement this recommendation. We are comfortable with our current procedures. We will, however, investigate this matter.*
5. *We will begin maintaining a bond ledger on a current basis and will attempt to prepare a monthly listing of open items. This will be done within three months.*
6. *We will follow up on old outstanding checks. This will be done within three months.*
7. *We will send out letters and attempt to properly dispose of these bonds. This will be done within three months.*
- B.1. *We will transmit monies on a more timely basis. This will be done within three months.*
- B.2,3,
& C. *We have implemented these recommendations.*

- D. *We will implement these recommendations in the next three months, except for recommendation A.4.*

4. City of Frontenac Municipal Division
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The duties of receiving, recording, and depositing bond, fine, and court cost monies collected by the municipal division are not adequately segregated. While the City Finance Director performs the bond account bank reconciliation, the Court Clerk performs all other accounting duties. To safeguard against possible loss or misuse of funds, internal controls should provide reasonable assurance that all transactions are accounted for properly and assets are adequately safeguarded. Since this is an office of one employee and proper segregation of duties cannot be achieved, at a minimum, there should be a documented independent comparison of receipt slips issued to amounts deposited or transmitted.

A similar condition was also noted in our prior report.

WE AGAIN RECOMMEND the city of Frontenac Municipal Division establish a documented periodic review of municipal division records by an independent person.

AUDITEE'S RESPONSE

The Court Clerk responded that as of March 2000, the Finance Officer will perform monthly checks on all court deposits and the general ledger sheets to ensure the amounts coincide with the court records.

5. City of Richmond Heights Municipal Division

- A. Bond monies are not deposited intact or when accumulated receipts exceed \$100. During a cash count conducted on August 2, 1999, we noted approximately \$2,000 on hand. In addition, the Court Clerk had cashed a \$300 personal check out of bond receipts.

Bonds collected after regular office hours are collected by the police department. A receipt slip is issued and the bond money is placed in a lock box to be picked up and deposited by the Court Clerk approximately two times a week. The Court Clerk then receipts the bond monies in a one-write ledger and deposits the monies. To adequately safeguard bond receipts and reduce the risk of loss or misuse of funds, transmittals should be made intact daily or when accumulated receipts exceed \$100. Furthermore, the cashing of personal checks out of court receipts should be prohibited.

- B. The municipal division accepts cash, checks, and money orders for fines and court costs. Receipt slips issued by the court do not indicate the method of payments received. In addition, there is no independent comparison of the composition of receipt slips issued to the composition of monies transmitted to the city.

To provide assurance all monies received have been properly transmitted, the method of payment should be accurately recorded for all monies received, and the composition of receipt slips issued should be compared to the composition of transmittals to the city.

- C. Neither the police department nor the municipal division account for the numerical sequence or ultimate disposition of traffic and parking tickets and housing code violations.

Without a proper accounting for the numerical sequence and disposition of all tickets, violations, and complaint forms, the police department and the municipal division cannot be assured that all documents issued were properly submitted to the court for processing. A log listing the documents assigned, each document issued in numerical sequence, the date issued, and the violator's name and the ultimate disposition would help ensure all documents issued were submitted to the municipal division for processing, properly voided, or not prosecuted.

A similar condition was noted in our prior report.

- D. Crime Victims Compensation (CVC) and Peace Officers Standards and Training Commission (POSTC) fees are collected and turned over to the city. However, the city remits the state's share of these collections every two months. Section 595.045.5, RSMo Cumulative Supp. 1999, requires 95 percent of the CVC fee to be paid monthly to the state. POSTC fees should also be disbursed monthly to the state.

WE RECOMMEND the city of Richmond Heights Municipal Division:

- A. Ensure bond monies collected by the police department are deposited by the Court Clerk daily. The municipal division should deposit bond monies intact and discontinue the practice of cashing personal checks out of bond monies.
- B. Record the method of payment on all receipt slips issued by the Court Clerk and reconcile the composition of receipt slips issued to the composition of transmittals.
- C. Work with the police department to ensure adequate records are maintained to account for the numerical sequence and ultimate disposition of all traffic and parking tickets, housing code violations, and complaint forms issued.
- D. Request the city to properly remit CVC and POSTC fees to the state in accordance with state law.

AUDITEE'S RESPONSE

The Municipal Judge, the Court Clerk, and the City Finance Director provided the following responses:

- A. The city's court division has implemented the State Auditor's recommendation and is depositing bond monies daily Monday through Friday. As the court division does not have normal work hours on Saturday or Sunday any bond monies collected after Friday at 6:00 p.m. and before Monday at 8:30 a.m. are deposited on the first Monday morning after receipt. All bond monies collected are deposited intact.*
- B. The city's court division has implemented the State Auditor's recommendation effective the first week of April 2000 and is recording the method of payment on all receipt slips. The following business day an accounting clerk in the finance division balances all daily receipts from the previous day to a computer-generated report which indicates method of payment.*
- C. As violation notice books are assigned to each officer, it is the responsibility of the officer to review all tickets within the assigned books for verification of sequential numbering. The officer then signs a violation book assignment sheet and notes any irregularities. A computer-generated listing from the municipal court program is being produced quarterly to identify gaps in ticket numbers in order to track missing numbers.*
- D. The city's court division has implemented the State Auditor's recommendation and is submitting these fees in a more timely manner.*

6. City of University City Municipal Division
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- A. The municipal division enters fine and court cost monies received into a cash register. The cash register prepares a detail tape which shows the fine and cost amount collected for each case number and a summary tape which shows the total amount of fines and costs collected each day. From the summary tape, the daily deposit is prepared which is given to the city finance department for deposit into a city bank account. A transmittal form to support the amount transmitted to the city is also prepared from the summary tape and given to the city finance department. We noted the following concerns with the receipt tape and transmittal forms:

 - 1) The daily summary cash register tapes are not reconciled to the transmittal forms. We noted numerous instances where the amount of receipts on the cash register tape did not reconcile to the amount transmitted to the city for deposit. In a few cases, hand written adjustments were made to the summary tape to reconcile it to

the transmittal form; however, explanations for the adjustments were not documented.

In total, for the fiscal year ended June 30, 1999, we noted apparent collections of \$2,682 on the court's cash register tapes that were not transmitted to the city. These possible missing funds went undetected throughout the audit period due to numerous internal control weaknesses, little or no independent review, and a lack of adequate record keeping.

- 2) The assistant court clerks are allowed to make negative adjustments to the detail cash register tapes. Many of these negative adjustments to the detail cash register tapes were not supported and could not be explained by court personnel. For the month of April, 1999, we noted total negative adjustments of \$3,985. Of this amount, \$3,090 did not appear reasonable or was not supported on the detail tape. These negative adjustments reduced the amount the cash register indicated as receipted for the day, and thus the amount required to be transmitted to the city. There was no documentation on the detail tape to indicate that these negative adjustments had been reviewed and approved by the Court Clerk.
- 3) The numerical sequence of all receipt numbers according to the cash register tape was not accounted for properly. We noted instances in which there were gaps in the cash register receipt numbers. To properly account for fines and cost receipts, the numerical sequence of all receipt numbers should be accounted for properly.

To adequately account for court fines and costs monies received, the amount shown as received on the summary cash register tape should be reconciled with the amount transmitted to the city for deposit. In addition, the detail cash register tape should be reviewed for unusual items. The Court Clerk should review and approve negative adjustments to ensure that adjustments made are proper and account for the numerical sequence of all receipt numbers.

- B. Bonds posted with the police department are transmitted to the Court Clerk, who in turn transmits the money to the city's finance department for deposit to the city's General Revenue Fund bank account. Bond monies held by the city are segregated on the city records by use of a specific account number. Monthly listings of open items (liabilities) are prepared by the city's finance department. During our review, we noted the following concerns relating to bonds:

- 1) The open items list prepared at June 30, 1999 indicated the total of the open items was \$33,614 more than the balance of bonds in the bond account. In addition, neither the city nor the court reconcile the open items list to records of active bonds on a monthly basis. Reconciliation of open items is necessary to ensure

accountability over open cases and to ensure monies held in trust are sufficient to meet liabilities.

- 2) Bonds collected by the police department are not transmitted to the Court Clerk on a timely basis. Bonds are transmitted to the Court Clerk approximately once a week. During a cash count conducted on August 16, 1999, we noted \$3,700 of bond monies were being held in a lock box by the police department. To adequately safeguard bond receipts and reduce the risk of loss or misuse of funds, transmittals should be made daily or when accumulated receipts exceed \$100.
- 3) Prenumbered bond forms issued by the police department serve as the receipt slip to the defendant. However, the original copies of voided bond forms were not retained. To account for all monies received, copies of voided bond forms should be retained.

C. During our review, we noted the following concerns related to tickets issued by the police department and other city departments:

- 1) Neither the police department nor the municipal division account for the numerical sequence or ultimate disposition of tickets or complaints issued for violations of municipal ordinances. The police department does have a computer system where they enter traffic and parking tickets issued. The computer has the capability to list the tickets in numerical sequence. However, no one reviews this for missing ticket numbers. Furthermore, complaints are not entered into the computer system, the police department does not maintain a copy of complaints issued, and the court does not file complaints numerically.
- 2) Neither the housing, planning, and development department nor the court account for all tickets issued for housing code violations. The department does not issue prenumbered tickets. In addition, this department is receiving payments for fines without issuing prenumbered receipts slips. These payments are then transmitted to the court for processing. Without issuing prenumbered tickets, the court and the department cannot ensure a proper accounting of tickets issued. Without issuing prenumbered receipt slips, the department and the court cannot properly account for monies received.
- 3) Neither the sanitation department nor the court account for the numerical sequence or ultimate disposition of tickets or complaints issued for all violations issued by the sanitation department.
- 4) The police department submits a list of traffic tickets turned over to the court. There is no documentation that the list is compared to the tickets given to the court to ensure that the listing is accurate. The Court Clerk should ensure they have a

complete listing of all tickets received from the police department and sign the list to indicate her review and approval.

Without a proper accounting of the numerical sequence and disposition of tickets and complaints, the police department, the housing, planning, and development department, the sanitation department, and the court cannot be assured that all documents issued were properly processed. A log listing each ticket or complaint in numerical order, the date issued, the violator's name, and the ultimate disposition would ensure all tickets and complaints issued have been submitted to the court for processing, properly voided, or not prosecuted.

- D.1. We noted numerous instances in which the municipal division could not readily locate parking tickets issued or paid. Parking tickets are filed by the date paid, and are entered on the computer or recorded in a log of parking tickets received, noting the date they were paid. As a result, no cross reference exists between the parking tickets issued by the police department and the parking ticket files maintained by the court. Such a cross reference is necessary to ensure that all parking tickets issued by the police department have been turned over to the court for processing.
- 2. The municipal division does not have a listing of unpaid parking tickets due to the court and has not established adequate procedures to follow-up on unpaid parking tickets. A listing of unpaid parking tickets is necessary to facilitate monitoring of amounts due to the court, provide information to the Municipal Judge, and provide increased accountability over amounts due to the court. The court should institute additional procedures to collect amounts owed. In addition, the court should consider implementing procedures for writing off old uncollectible parking tickets.
- E. The Municipal Judge does not sign the dockets after dispositions are recorded. To ensure the proper disposition of all cases has been entered in the court records, the disposition of each case should be noted and the Municipal Judge should sign the court dockets.
- F. While a schedule of fines and court costs to be collected at the traffic violations bureau (TVB) for certain offenses is available, there was no schedule to assess a penalty for late payment of parking tickets. We noted various amounts assessed for late penalties. The court should prepare a schedule for late penalties and consistently assess these amounts.
- G. Checks and money orders are not restrictively endorsed upon receipt. To reduce the risk of loss or misuse of funds, checks and money orders should be restrictively endorsed immediately upon receipt.
- H. The court maintains a computerized docket of all receipts and accounts receivable due to the court. However, payments received are not always posted to this computerized record. Current financial records are necessary to facilitate monitoring of amounts due the

court, provide information to the Municipal Judge, and provide increased accountability over amounts due to the court.

- I. The municipal division or the city finance department does not properly disburse the state's portion of the crime victims compensation (CVC) fee on cases for which it is collected. Based on our review of city records as of June 30, 1999, there was \$10,500 of CVC fees that had been collected but not properly remitted to the state. Section 595.045, RSMo Cumulative Supp. 1999, requires 95 percent of such fees be paid to the state at least monthly.

Conditions similar to B., C., D., and E. were also noted in our prior reports.

WE RECOMMEND the city of University City Municipal Division:

- A.1. Along with the city, review the situation and take any necessary legal action to recover funds determined to be missing. In the future, the municipal division should reconcile summary cash register receipt tapes to the amount transmitted to the city for deposit and promptly investigate any differences.
2. Provide for review and approval of negative adjustments by the Court Clerk to ensure they are reasonable.
3. Account for the numerical sequence of cash register receipt numbers.
- B.1. Reconcile the monthly listing of open items prepared by the city finance department to the court's records of active bonds.
2. Request the police department transmit bond receipts daily or when accumulated receipts exceed \$100.
3. Retain all copies of voided bond forms.
- C. Work with all departments to ensure records are maintained to account for the numerical sequence and ultimate disposition of all tickets and complaints issued. In addition, the municipal division should ensure the listing of tickets and complaints issued is reviewed and any missing documents are accounted for properly. The Court Clerk should sign the listing of tickets to indicate her review and approval of the listing.
- D.1. Maintain parking ticket files, or a log, which would enable parking tickets to be located by parking ticket number.
2. Establish adequate procedures to collect parking fines owed the court and write off uncollectible amounts.

- E. Require the judge's signature on the court dockets and ensure the disposition of all cases is noted on the court dockets.
- F. Prepare a schedule of late penalties and assess late penalty fees consistently.
- G. Restrictively endorse all checks and money orders immediately upon receipt.
- H. Ensure all amounts received and accounts receivable amounts are properly posted to the computer receipt docket.
- I. Ensure CVC fees collected are remitted to the state in accordance with state law. In addition, the municipal division should determine the amount of unremitted CVC fees due to the state and make the appropriate payment.

AUDITEE'S RESPONSE

The Assistant City Manager provided the following responses:

- A.1. *We agree. The clerk of the municipal court ensures daily balance summary cash receipts are reconciled to the transmittal forms. Regarding unaccounted for funds, the city will promptly begin an investigation into this matter.*
- 2. *We agree. The clerk of the municipal court now reviews and approves all negative adjustments made by court clerk assistants to ensure they are reasonable.*
- 3. *We agree. The clerk of the municipal court accounts for the numerical sequence of all receipts issued by the new software program.*
- B.1. *The finance department will work with the clerk of the municipal court to reconcile on a monthly basis the cash bond list to the court's records of active bonds. An immediate reconciliation of these records will occur to resolve the discrepancies between the active bond list and the balance of bonds in the bonds account. This will be done within six months.*
- 2. *The police department now transmits bond receipts daily.*
- 3. *All copies of voided bond forms are being retained.*
- C. *We agree. The police, housing, and sanitation departments are tracking all tickets going to and from the court division. In addition, the clerk of the municipal court signs the listing of tickets to indicate her review and approval of the listing.*

- D.1. *We agree. A new parking ticket system will be established within a year that will track all tickets issued and allow for the parking tickets to be located by ticket number.*
- 2. *We will continue to improve our process for collecting parking tickets.*
- E. *We agree. This recommendation has been implemented.*
- F. *We agree. A schedule of late penalties will be prepared within a month and we will consistently assess late penalty fees.*
- G. *We agree. All checks and money orders are being restrictively endorsed upon receipt.*
- H. *We agree. The clerk of the municipal court now ensures all amounts received on accounts receivable amounts are properly posted to the computer receipt docket.*
- I. *We agree. All CVC fees collected are now remitted to the state in accordance with state law. In addition, any CVC unremitted fees due the state shall be remitted to the state in accordance with state law within one month.*

7.	City of Winchester Municipal Division
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- A. Court receipts are not transmitted to the city treasury on a timely basis. The Court Clerk transmits receipts approximately twice per week with the average transmittal totaling approximately \$447. To adequately safeguard receipts and reduce the risk of loss or misuse of funds, monies should be transmitted daily or when accumulated receipts exceed \$100.
- B. The Municipal Judge does not sign all court dockets after case dispositions are recorded. To ensure the proper disposition of all cases has been entered in the court records, the judge should review each court docket and sign the docket to indicate approval of the recorded disposition.

A condition similar to A. was noted in our prior report.

WE RECOMMEND the city of Winchester Municipal Division:

- A. Transmit receipts intact daily or when accumulated receipts exceed \$100.
- B. Ensure that the judge reviews and signs all court dockets after the final disposition has been recorded.

AUDITEE'S RESPONSE

The Municipal Judge, Court Clerk, and City Administrator provided the following responses:

- A. Due to the small size of our office staff, it is not always possible for us to maintain the segregation of duties when creating the deposits and transporting them to the bank, if it is done on a daily basis. Because of part-time personnel, vacation, sick leave, etc., there are times when we have only been able to deposit the funds twice during the week. We will endeavor to transmit the receipts daily or when accumulated receipts exceed \$100.*
- B. The Court Clerk will ensure that the Judge reviews and signs all court dockets after the final disposition has been recorded each court night.*

This report is intended for the information of the management of the various municipal divisions of the Twenty-First Judicial Circuit and other applicable government officials. However, this report is a matter of public record and its distribution is not limited.

Follow-Up on State Auditor's Prior Recommendations

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS
FOLLOW-UP ON STATE AUDITOR'S PRIOR RECOMMENDATIONS

This section reports follow-up action taken by the municipal divisions of the Twenty-First Judicial Circuit on recommendations made in the Management Advisory Report (MAR) of our reports issued for the two years ended June 30, 1996, and June 30, 1994. The prior recommendations which have not been implemented, but are considered significant, have been repeated in the current MAR. Although the remaining unimplemented recommendations have not been repeated, the municipal divisions should consider implementing these recommendations.

1. City of Clarkson Valley Municipal Division

- A.1. Bond forms issued by the Ballwin police department served as the receipt slip to the defendant; these bond forms were not prenumbered.
- 2. The municipal division bond account required two signatures for all disbursements; however, the checks were sometimes signed in advance by the Mayor.
- B. Receipt slips issued by the court did not always indicate the correct method of payment received.
- C. Monies collected were not transmitted intact on a timely basis.
- D. The municipal division did not include all cases on the court docket.

Recommendation:

The municipal division:

- A.1. Request the Ballwin police department to issue prenumbered receipt slips or bond forms for all bond monies received and account for the numerical sequence.
- 2. Discontinue the practice of signing checks in advance.
- B. Indicate the correct method of payment on each receipt slip issued, and reconcile the composition of receipt slips issued to the composition of monies transmitted.
- C. Transmit receipts intact daily or when accumulated receipts exceed \$100.
- D. Include all cases on the court docket as required by state law.

Status:

A-D. Implemented.

2. City of Creve Coeur Municipal Division

- A.1. Bond monies were not retrieved from the police department and deposited on a timely basis.
- 2. The municipal division did not maintain a running balance in the checkbook register for the bond account.
- 3. Monthly listings of open items (liabilities) were not reconciled to the bank balance and retained.
- 4. Old outstanding checks totaling \$1,866 had remained in the city's bond bank account in excess of one year.

B. Receipt slips were not obtained for court monies transmitted to the city.

Recommendation:

The municipal division:

- A.1. Transmit bond monies daily or when accumulated receipts exceed \$100.
 - 2. Maintain a running balance of the bond account in the checkbook register.
 - 3. Prepare a monthly listing of open items (liabilities) and reconcile it to the bank balance.
 - 4. Periodically review outstanding checks to determine if the payees can be located and if the checks can be reissued. If payees cannot be located, the monies should be disbursed to the state's Unclaimed Property Section in accordance with state law.
- B. Obtain receipt slips for all monies transmitted to the city.

Status:

A.1. Not implemented. See MAR No. 2.

A.2-3.

& B. Implemented.

A.4. Not implemented. Although not repeated in our current MAR, our recommendation remains as stated above.

3. City of Eureka Municipal Division

- A.1. Bond forms issued by the police department served as the receipt slip to the defendant. The bond forms were not prenumbered.
- 2. Bond forms issued by the police department did not indicate the method of payments received. The composition of bond forms issued was not reconciled to the composition of transmittals and deposits.
- 3. The Court Clerk did not issue receipt slips to the police department for cash bonds turned over to the court.
- 4. Refund checks for the full amount of the bond were prepared in advance at the time a bond was received and were held by the Court Clerk pending court disposition. The Court Clerk made cash refunds to the defendant on court night.
- 5. The Court Clerk did not maintain a bond ledger.
- 6. Outstanding checks totaling \$1,740 had remained in the city's bond account in excess of one year.
- B.1. Monies collected were not transmitted on a timely basis.
- 2. Receipt slips issued by the court did not indicate the method of payments received. The composition of receipt slips issued was not reconciled to the composition of transmittals.
- 3. Voided receipt slips were not retained.
- 4. Checks and money orders were not restrictively endorsed upon receipt.
- 5. The duties of receiving, recording, and transmitting fine and court cost monies collected by the municipal division were not adequately segregated.
- C. The Municipal Judge did not sign court dockets after case dispositions were recorded.
- D. Monies collected for restitution were disbursed to the appropriate party in the form received from the defendant, resulting in cash disbursements.

Recommendation:

The municipal division:

- A.1. Request the police department to issue prenumbered receipt slips or bond forms for all bond monies received and account for the numerical sequence.
 2. Request the police department to indicate the method of payment on each bond form issued. The Court Clerk should reconcile the composition of receipt slips issued to the composition of monies transmitted and deposited.
 3. Issue prenumbered receipt slips to the police department for cash bonds transmitted.
 4. Issue separate checks to the defendant for the amount of the bond refund and to the city for the amount of fines and court costs after case disposition is determined. In addition, the practice of cashing bond refund checks out of other cash collections should be discontinued.
 5. Maintain a bond ledger indicating date and amount of receipt and date and method of disbursement for all bonds received.
 6. Periodically review outstanding checks to determine if the payees can be located and if the checks can be reissued. If payees cannot be located, the monies should be disbursed to the state's Unclaimed Property Section in accordance with state law.
- B.1. Transmit receipts intact daily or when accumulated receipts exceed \$100.
 2. Record the method of payment on all receipt slips issued and ensure someone at the city reconciles the composition of receipt slips issued to the composition of monies transmitted.
 3. Retain all voided receipt slips.
 4. Restrictively endorse all checks and money orders immediately upon receipt.
 5. Establish a documented periodic review of municipal division records by an independent person.
- C. Require the Municipal Judge to review all court dockets for propriety and sign the dockets.
 - D. Deposit all monies received by the court and make all disbursements by check.

Status:

A,B.1-4,
&D. Not implemented. See MAR No. 3.

B. 5.
&C. Implemented.

4. City of Frontenac Municipal Division

- A.1. The Court Clerk did not account for the numerical sequence of all police department receipt slips.
- 2. Receipt slips issued by the court did not indicate the method of payments received.
- B. The duties of receiving, recording, and depositing/transmitting bond, fine, and court cost monies collected by the municipal division were not adequately segregated.
- C. Neither the police department nor the municipal division accounted for the numerical sequence of tickets issued.

Recommendation:

The municipal division:

- A.1. Account for the numerical sequence of all police department receipt slips.
- 2. Record the method of payment on all receipt slips issued and reconcile the composition of receipt slips issued to the composition of monies deposited.
- B. Establish a documented periodic review of municipal division records by an independent person.
- C. Work with the police department to account for the numerical sequence of tickets issued and investigate any gaps in the numerical sequence.

Status:

A&C. Implemented.

B. Not implemented. See MAR No. 4.

5. City of Richmond Heights Municipal Division

- A. Neither the police department nor the court maintained a record of summonses assigned to officers.
- B. Outstanding checks totaling \$427 were in the municipal division's bank account in excess of one year.
- C. The Municipal Judge had not issued a court order to formally establish the TVB.
- D. The Municipal Judge did not sign the docket after dispositions were recorded.

Recommendation:

The municipal division:

- A. Maintain a log of summonses assigned to officers.
- B. Periodically review outstanding checks to determine if the payees can be located and if the checks can be reissued. If payees cannot be located, the monies should be disbursed to the state's Unclaimed Property Section in accordance with state law.
- C. Issue a court order to formally establish the TVB.
- D. Require the judge's signature on the court dockets.

Status:

- A. Not implemented. See MAR No. 5.
- B. Not implemented. Although not repeated in our current MAR, our recommendation remains as stated above.

C&D. Implemented.

6. City of University City Municipal Division

- A.1. The open items list prepared at June 30, 1994 indicated the total of the open items was \$926 more than the balance of bonds that was in the bond account. The Court Clerk did not reconcile the open items list to records of active bonds on a monthly basis. The June 30, 1994, balance of bonds in the bond account included bond receipts totaling \$7,694 which had been held in excess of one year.
- 2. Bonds collected by the police department were not transmitted to the Court Clerk on a timely basis.

3. Bond forms issued by the police department which served as the receipt slip to the defendant, were not prenumbered.
- B. Neither the police department nor the court accounted for the numerical sequence or ultimate disposition of tickets or complaints issued for all violations of municipal ordinances.
- C. The municipal division could not readily locate parking tickets issued or paid.
- D. The composition of the receipt slips issued was not reconciled to the composition of transmittals.
- E. Receipts were not always transmitted to the city on a timely basis.
- F. The municipal judge did not sign the dockets after dispositions were recorded.
- G. A court order to formally establish the TVB could not be located by city or court personnel.

Recommendation:

The municipal division:

- A.1.a. Reconcile the monthly listing of open items prepared by the finance department to the court's records of active bonds. In addition, the reason for the apparent \$926 shortage should be investigated by reviewing all open bonds on the open items list. In the event cash is determined to be insufficient to meet bond liabilities, the court will need to review this matter with the city to determine the proper resolution.
- b. Dispose of unclaimed bonds in accordance with state law.
2. Request the police department to transmit bond receipts daily or when accumulated receipts exceed \$100.
3. Request the police department issue prenumbered receipt slips or bond forms for all bond monies received and account for their numerical sequence.
- B. Work with the police department to ensure records are maintained to account for the numerical sequence and ultimate disposition of all tickets and complaints issued. In addition, the municipal division should ensure the listing of tickets and complaints issued is reviewed and any missing documents are accounted for properly.

- C. Maintain parking ticket files, or a log, which would enable parking tickets to be located by parking ticket number.
- D. Reconcile the composition of receipts issued to the composition of transmittals.
- E. Enter all receipts on the cash register immediately upon receipt.
- F. Require the judge's signatures on the court dockets and ensure the disposition of all cases is noted on the court dockets.
- G. Issue a court order to formally establish the TVB.

Status:

A.1.a.,
A.2.,B,
C&D. Not implemented. See MAR No. 6.

A.1.b.,E,
F&G. Implemented.

A.3. Partially implemented. The police department issues prenumbered bond forms; however, voided bond forms are not retained. See MAR No. 6.

7. City of Winchester Municipal Division

- A.1. The June 30, 1996, balance in the municipal division's bond account included bond receipts totaling \$2,755 which had been held in excess of one year.
- 2. Bond forms issued by the Ballwin police department served as the receipt slip to the defendant; these bond forms were not prenumbered.
- B. Monies collected for fines and court costs were not transmitted on a timely basis.
- C. The duties of receiving, recording, and depositing/transmitting bond, fine, and court cost monies collected by the municipal division were not adequately segregated.
- D. Neither the police department nor the court accounted for the numerical sequence of tickets or summonses issued.

Recommendation:

The municipal division:

- A.1. Forfeit any bonds for persons who failed to make the required court appearance, and attempt to locate those defendants who have a cash bond due back to them and remit the bond amount. Any bond monies remaining unclaimed should be remitted to the state in accordance with state law. Procedures should be established to routinely follow-up on cash bonds remaining on hand over a period of time.
- 2. Request the police department issue prenumbered receipt slips or bond forms for all bond monies received.
- B. Transmit receipts intact daily or when accumulated receipts exceed \$100.
- C. Establish a documented periodic review of municipal division records by an independent person.
- D. Work with the police department to account for the numerical sequence of all tickets and summonses issued and investigate any gaps in the numerical sequence.

Status:

A,C,
& D. Implemented.

B. Not implemented. See MAR No. 7.

STATISTICAL SECTION

History, Organization, and
Statistical Information

TWENTY-FIRST JUDICIAL CIRCUIT
MUNICIPAL DIVISIONS
HISTORY, ORGANIZATION,
AND STATISTICAL INFORMATION

Organization

The Twenty-First Judicial Circuit is composed of St. Louis County. The Honorable Robert Cohen serves as Presiding Judge. This report includes seven of the eighty-two municipal divisions within the Twenty-First Judicial Circuit.

The municipal divisions are governed by Chapter 479, RSMo 1994, and by Supreme Court Rule No. 37 titled "Ordinance Violations and Traffic Violations Bureau (TVB)." Section 479.050, RSMo 1994, provides that each municipal division may establish a TVB in which fines and costs are collected at times other than during court and transmitted to the city treasury.

Operating Costs

The operating costs and court salaries of each municipal division are paid by the respective municipality.

Municipal Division Organization, Personnel, and Caseload Information

1. City of Clarkson Valley

The Court Clerk is responsible for recording transactions as well as handling collections. The city of Ballwin police department collects bond monies. The police department transmits any bond collections to the Court Clerk twice weekly. Fines and court costs collected are transmitted by the Court Clerk directly to the City Clerk for deposit into the city treasury weekly. Bond monies are transmitted weekly by the Court Clerk to the City Clerk for deposit into a municipal division bank account pending disposition. Court is held once a month. A TVB has been established to receive payments of fines and court costs at times other than during court.

Personnel

Municipal Judge	Rene' E. Lusser
Court Clerk	Donna Guentz*

* Donna Guentz retired December 31, 1999 and Susan Pritchard was hired as Court Clerk in January 2000.

Caseload Information

	<u>Year Ended June 30,</u>	
	<u>1999</u>	<u>1998</u>
Number of cases filed	1,742	1,510

2. City of Creve Coeur

The Court Clerk and Deputy Court Clerk are responsible for recording transactions as well as handling collections. The police department collects bond monies. The police department transmits bond collections to the Court Clerk approximately twice a week. The Deputy Court Clerk transmits fines, court costs, and bonds directly to the city finance department daily for deposit to the city treasury. Bond monies are deposited in a city bank account pending disposition. Court is held three times a month. A TVB has been established to receive payments of fines and court costs at times other than during court.

Personnel

Municipal Judge	Donald L. Wolff
Court Clerk	Tina Harris
Deputy Court Clerk	Claudia Meyer

Caseload Information

	<u>Year Ended June 30,</u>	
	<u>1999</u>	<u>1998</u>
Number of cases filed	7,583	6,670

3. City of Eureka

Organization

The Court Clerk is responsible for recording transactions as well as handling collections. The police department collects bond monies. Bond monies are placed in a safe by the police department. The Court Clerk retrieves the bond monies from the safe daily. Fines and court costs collected are transmitted by the Court Clerk directly to the City Clerk's office approximately weekly for deposit into the city treasury. Bond monies are transmitted by the Court Clerk directly to the City Clerk's office several times a month for deposit in a city bank account pending disposition. Court is held twice a month. A TVB has been established to receive payments of fines and court costs at times other than during court.

Personnel

Municipal Judge	Rick Berry
Court Clerk	Arlene Hafley

Caseload Information

	<u>Year Ended June 30.</u>	
	<u>1999</u>	<u>1998</u>
Number of tickets issued	1,838	2,077

4. City of Frontenac

Organization

The Court Clerk is responsible for recording transactions as well as handling collections. The police department collects bond monies when the Court Clerk is not available. Bond monies are placed in a lock box by the police department. The Court Clerk retrieves and deposits the bond monies daily. Fines and court costs collected are deposited by the Court Clerk into the city treasury approximately twice a week. Bond monies are deposited daily by the Court Clerk in a municipal division bank account pending disposition. Court is held once a month. A TVB has been established to receive payments of fines and court costs at times other than during court.

Personnel

Municipal Judge	Tom W. DePriest*
Court Clerk	Leesa Ross**

*James F. McMullin served as Judge from April, 1998 to June, 1998 and Michael M. Frank served as Judge until April, 1998.

** Leesa Ross became Assistant City Clerk on February 14, 2000, and Tina Flowers was appointed as Court Clerk.

Caseload Information

	<u>Year Ended June 30.</u>	
	<u>1999</u>	<u>1998</u>
Number of tickets issued	2,315	2,308

5. City of Richmond Heights

Organization

The Court Clerk is responsible for recording transactions as well as handling collections and disbursements. Bond monies are placed in a lock box by the police department. The Court Clerk retrieves and deposits the bond monies to a city bank account approximately twice a week. Fines and court costs are transmitted directly to the City Clerk daily for deposit to the city treasury. Bond monies are deposited in the city treasury pending disposition. Court is held three times a month. A TVB has been established to receive payments of fines and court costs at times other than during court.

Personnel

Municipal Judge	Donald Gunn, Jr.
Court Clerk	Janice Behrens
Deputy Court Clerk	Kelly Case

Caseload Information

	<u>Year Ended June 30.</u>	
	<u>1999</u>	<u>1998</u>
Number of cases filed	7,806	8,016

6. City of University City

Organization

The Court Clerk and Assistant Court Clerks are responsible for recording transactions as well as handling collections. The police department collects bond monies. The police department transmits collections to the Court Clerk approximately once a week. Fines, court costs, and bonds are transmitted directly to the city finance department daily for deposit to the city treasury. Bond monies are deposited in a city bank account pending disposition. Court is held four times a month. A TVB has been established to receive payments of fines and court costs at times other than during court.

Personnel

Municipal Judge	Frank Hankin
Court Clerk	Kathy Matthews
Assistant Court Clerk	Wilhelmina Watkins
Assistant Court Clerk	Lafondia Cherry
Assistant Court Clerk	Jessica Sloan-McCoy

Caseload Information

	<u>Year Ended June 30.</u>	
	<u>1999</u>	<u>1998</u>
Number of cases filed	29,590	28,728

7. City of Winchester

Organization

The Court Clerk is responsible for recording transactions as well as handling collections. The city of Ballwin police department collects bond monies. The police department transmits bond collections to the Court Clerk twice weekly. Fines and court costs collected are transmitted by the Court Clerk directly to the City Bookkeeper for deposit into the city treasury twice weekly. Bond monies are deposited upon receipt by the Court Clerk in a city bank account pending disposition. Court is held once a month. A TVB has been established to receive payments of fines and court costs at times other than during court.

Personnel

Municipal Judge	Peter J. Maniscalco
Court Clerk	Merne Earl*

*Carolyn Popp served as Court Clerk until April 1997.

Caseload Information

	<u>Year Ended June 30.</u>	
	<u>1999</u>	<u>1998</u>
Number of cases filed	710	502

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